The Role of the Personnel Commission in a Merit System School District

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Covina-Valley Unified School District
Personnel Commission

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Role of the Personnel Commission

• Classified Employee Positions
  – The Board creates positions and “fixes the duties” of the positions
  – The Board recommends minimum educational and work experience qualifications
  – The Commission approves the qualifications but not the duties or the creation of the position itself

(Education Code § 45276)
Role of the Personnel Commission

• Classifying Positions
  – The Commission’s most prominent role
  – Allocates positions to classes of jobs
  – Arranges positions in occupational hierarchies
  – Determines relationships within hierarchies (including relationships in pay; discussed later)

(Education Code § 45256)
Role of the Personnel Commission

• Classifying Positions
  – Applies to *all* classified (non-certificated) positions
    • Management
    • Non-management
    • Confidential
  – Does *not* apply to non-classified positions
    • Students employed part-time
    • Apprentices
    • Professional experts
Role of the Personnel Commission

• The Hiring Process
  – Job postings
  – Competitive examinations
  – Creation of eligibility lists
    • Ranked in order of relative merit
    • As determined by competitive examination
    • Eligibles with the same score have the same rank

(Education Code § 45272)
Role of the Personnel Commission

• The Hiring Process

• With a few exceptions, the District *must* hire from the top three candidates on an eligibility list (“rule of three ranks”)

• Examples of Exceptions:
  – Executive secretarial positions (Education Code § 45272)
  – A valid driver’s license (Education Code § 45277)

• Employees exempted from this rule have all the “rights, benefits, and burdens” of any other classified employee
Role of the Personnel Commission

• The Hiring Process
• The Commission *may* delegate to the Personnel Director duties such as
  – Posting vacancies
  – Scheduling examinations and interviews
  – Creating eligibility lists
Role of the Personnel Commission

- Compensation
  - The Commission *recommends* salary schedules to the Board
  - The Board negotiates, approves, amends, or rejects the recommendations
  - The Board cannot amend the recommendations until the Commission has the opportunity to state the effect of the amendments “upon the principle of like pay for like service”
  - The Board *sets* salaries, which “cannot operate to disturb the relationship which compensation schedules bear to one another, as the relationship has been established in the classification made by the commission”

(Education Code § 45268)
Role of the Personnel Commission

• **Discipline**
  
  • The Board supervises and evaluates employees and imposes disciplinary action
  
  • The employee may *appeal* a suspension, demotion, or dismissal, to the Personnel Commission
  
  • Lesser discipline (e.g., a reprimand) is not subject to Personnel Commission review
  
  • The Commission’s decision on an employee’s appeal is final and binding on the Board, subject to civil court review
  
  • (Education Code §§ 45302-45307)
Role of the Personnel Commission

• Discipline

• If the Personnel Director recommends the discipline of an employee, he or she may not advise or make any recommendations to the Personnel Commission about the employee’s appeal (Education Code § 45266(b))

• The Commission may modify the action approved by the Board, but it may not make the discipline more stringent (Education Code § 45307)
Role of the Personnel Commission

- Reclassification

- The Commission has authority to set guidelines for reclassification of positions, which must be the result of “a gradual accretion of duties” and not a “sudden change” caused by reorganization or assignment of completely new duties and responsibilities (Education Code § 45285)

- All persons within the class who have held their positions for at least three years may be reclassified with their positions

- If the reclassification involves a bargaining unit position, no change is made until reasonable notice is given to the union (Education Code § 45285.5)
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